IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No : 19984 of 2004

Between:

M/s Harshini Egg Farms Pvt., Ltd., Banegaon, Banegaon Post, Solapur, Solapur District Maharashtra State
rep. by its Director S.Ganesh Kumar Son of Sri S.Appa Rao R/o. of Gaurishankar Apartment, Ramlal Chowk, Solapur.

..... PETITIONER

AND

1.The Vysya Bank Ltd. a Banking company incorporated under the Companies Act 1956 having its Registered and Corporate
Office at 72, St. Marks Road, Bangalore and having Branches at various Places and one such Branch at No.182, East
Mangalwarpoeth, Solapur, Maharashtra State.
2.The Debt Recovery Tribunal Pune, Maharastra State.
3. Mr.S.Sundari

4. Smt.Gujjariapudi Varmma

5.Smt.P.Uslesha Laxmi

6.S.Balasubramanya Prasad.

(Respondents 3 to 6 are respondents in OA before R2 and no
claim is made against them in this writ petition and hence they are not necessary parties to this WP)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order dt.5.7.2004 in R.P.No.8/2004 in O.A.No.1023/P/2001 on the file of the second respondent and further direct the respondents to grant reasonable time for payment of the remaining due amount, in view of the natural calamity that had existed.

Counsel for the Petitioner: Mr. B.SIVA REDDY

Counsel for the Respondent No1: None appeared.

Counsel for the Respondent No.2: Mr.A.Rajasekhar Reddy

Sr.Central Govt. Standing Counsel.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

Petitioner is seeking directions as regards attachment made on the basis of the orders issued by the Debts Recovery Tribunal, Pune, Maharashtra. We need not entertain this Writ Petition, inasmuch as the grievance, if any, made by the petitioner has to be made in Courts having jurisdiction over the Debts Recovery Tribunal, Pune.

We do not see any force in the submission of the learned counsel for the petitioner that since the petitioner's registered office is in Andhra Pradesh, the Writ Petition will be maintainable in this Court. In fact, petitioner has established factories in Maharashtra State and loan was obtained from Respondent-1 Branch situated at East Mangalwarpoeth, Solapur, Maharashtra. Therefore, the Writ Petition is dismissed. No costs.

DEVINDER GUPTA, C.J.

02.11.2004.

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C.V.RAMULU, J.

VR.

To

1.The Vysya Bank Ltd. a Banking company incorporated under the Companies Act 1956 having its Registered and Corporate
Office at 72, St. Marks Road, Bangalore and having Branches at various Places and one such Branch at No.182, East
Mangalwarpoeth, Solapur, Maharashtra State.
2.The Presiding Officer, Debt Recovery Tribunal Pune, Maharastra State.

3. Two CD copies.